

# Staff Summary Report



To: Mayor and City Council  
Through: City Manager

Agenda Item Number 45  
Meeting Date: 05/31/01

**SUBJECT:** SHARON ESTATES #ZON-2001.03 #SPD-2001.38 #SBD-2001.30

**PREPARED BY:** Hector Tapia, Senior Planner (480-350-8331)

**REVIEWED BY:** Dave Fackler, Development Services Manager (480-350-8333)

**BRIEF:** This is the first public hearing for Sharon Estates for a zoning change from AG to R1-15 and a Final PAD and Final Subdivision Plat at 9211 South Terrace Road.

q-j

**COMMENTS:** **PLANNED DEVELOPMENT (0406)** Hold the first public hearing for **SHARON ESTATES** (Sharon Krystofik and Robert Buller, property owners) for a zoning change from AG, Agricultural to R1-15, Single Family Residential, a Final PAD and Final Subdivision Plat located at 9211 South Terrace Road. The following approval is requested from the city of Tempe:

**#ZON-2001.03 ORDINANCE NO. 808.2001.03** Zoning change from AG, Agricultural to R1-15, Single Family Residential on 0.81 net acres.

**#SPD-2001.38** A Final Planned Area Development (PAD) and Final Subdivision Plat for Sharon Estates consisting of 2 lots on 0.81 net acres. **(Please see list of variances on Attachment #2.)**

**#SBD-2001.30** A Final Subdivision Plat for 2 lots on 0.81 net acres.

**Document Name:** 20010531devsrh04

**Supporting Documents:** No

**SUMMARY:** This request is for a zoning change from AG, Agricultural to R1-15, Single Family Zoning District. The AG allows residential units up to one unit per acre. The R1-15 zoning classification allows up to 2.4 units per acre. The existing zoning surrounding the subject property is R1-15 to the east and north, and AG to the west and south. The proposed use is for two single family homes consistent with its surroundings. Due to the parcel size and the orientation of the proposed lots, building setback variances are required. The adjacent Las Estadas Subdivision was approved with front yard and side yard building setback variances. Staff feels that the requested variances are justifiable and consistent with its surroundings and should not be detrimental to adjacent property owners or the neighborhood. The proposed Final Subdivision Plat appears to meet the minimum requirements by Ordinance No. 99.21. Staff recommends approval subject to the attached conditions. Members of Las Estadas Home Owners Association and the applicants met on May 16, 2001 and agreed on stipulations for the Sharon Estates proposal.

**RECOMMENDATION:** Staff – Approval  
Public – Comments  
Planning Commission – Approval (7-0 vote)

**ATTACHMENTS:**

1. List of Attachments
  - 2-3 History & Facts / Description / Comments
  - 4-5 Conditions of Approval
- 
- A. Location Map
  - B. Final Subdivision Plat
  - C. Elevations
  - D. Floor Plan
  - E. Letter of Explanation/Intent
  - F. Letter of Support (petition)
  - G. Aerial Photo and Part of Quarter Section Map
  - H. Ord. No. 808.2001.03

## HISTORY & FACTS:

1965.	According to Maricopa County Assessors Office records, a house was built at the subject property in 1965.
August 11, 1998.	House and other structures on that property were demolished.
May 16, 2000.	Hearing Officer approved a request for the Seth Residence (12,800 s.f. home) for a variance to increase the maximum allowed lot coverage from 20% to 31% and for a variance to reduce minimum required side yard building setback from 20' to 15' in the AG zoning District. This house was never built.
April 24, 2001.	Planning Commission continued this case until May 8, 2001. The applicant modified the application to request a zoning change from AG to R1-15 instead of R1-10.
May 8, 2001.	Planning Commission approved the Zoning change from AG to R1-15 and continued the Final PAD (#SPD-2001.38) and Final Subdivision Plat (#SBD-2001.30) until May 22, 2001.
May 22, 2001.	Planning Commission approved the Final Planned Area Development and the Final Subdivision Plat, including four (4) variances.

**DESCRIPTION:** Owner – Sharon Krystofik and Robert Buller  
Applicant – Sharon Krystofik and Robert Buller  
Engineer – Robert / Ralph, Land Surveyor  
Existing zoning - AG  
Proposed zoning – R1-15  
Total site area – 0.96 gross acres (0.81 net acres)  
Number of lots proposed - 2  
Number of units allowed – 2  
Number of units proposed – 2 units  
Density allowed – 2.4 du/acre  
Density proposed – 2 du/acre

### Variances:

1. Reduce the minimum required front yard building setback from 35' to 25'.
2. Reduce the minimum required side yard building setback from 15' to 5' between Lots 1 and 2 and 15' to 5' for Lot 2 (east side yard building setback).
3. Reduce the minimum required street side yard building setback from 30' to 13'.
4. Reduce the minimum required lot width from 115' to 87'.

**COMMENTS:** This request is for a zoning change from AG, Agricultural to R1-15, Single Family Zoning District. The AG allows residential units up to one unit per acre. The R1-15 zoning classification allows up to 2.4 units per acre. The existing zoning surrounding the subject property is R1-15 to the east, north, and AG to the west and south.

**General Plan 2020:**

The General Plan 2020 Projected Land Use designates this parcel as Residential: less than or equal to 8 du/acre. The proposed land use is consistent with this plan and the surrounding neighborhood.

**Zoning:**

The Proposed zoning R1-15 is also consistent with existing zoning to the north and east of this parcel.

**Variances:**

Due to the parcel size and the orientation of the proposed two lots, a lot width variance is requested plus front yard, side yard, and street side yard building setbacks variances are necessary. Staff feels that the requested variances are justifiable and should not be detrimental to adjacent property owners.

**Public Comments:**

Members of Las Estadas Home Owners Association and the applicants met on May 16, 2001 and agreed on stipulations for the Sharon Estates proposal.

The proposed Final Subdivision Plat for two lots appears to meet the minimum requirements by Ordinance No. 99.21. Staff recommends approval subject to the attached conditions.

**RECOMMENDATION:**     **Approval**

**REASON(S) FOR  
APPROVAL:**

1.     The zoning change request, R1-15, is consistent with zoning in the neighborhood.
2.     The requested variances should not be detrimental to adjacent property owners or the neighborhood in general.
3.     The proposed subdivision plat appears to meet the minimum requirements of Subdivision Ordinance 99.21.

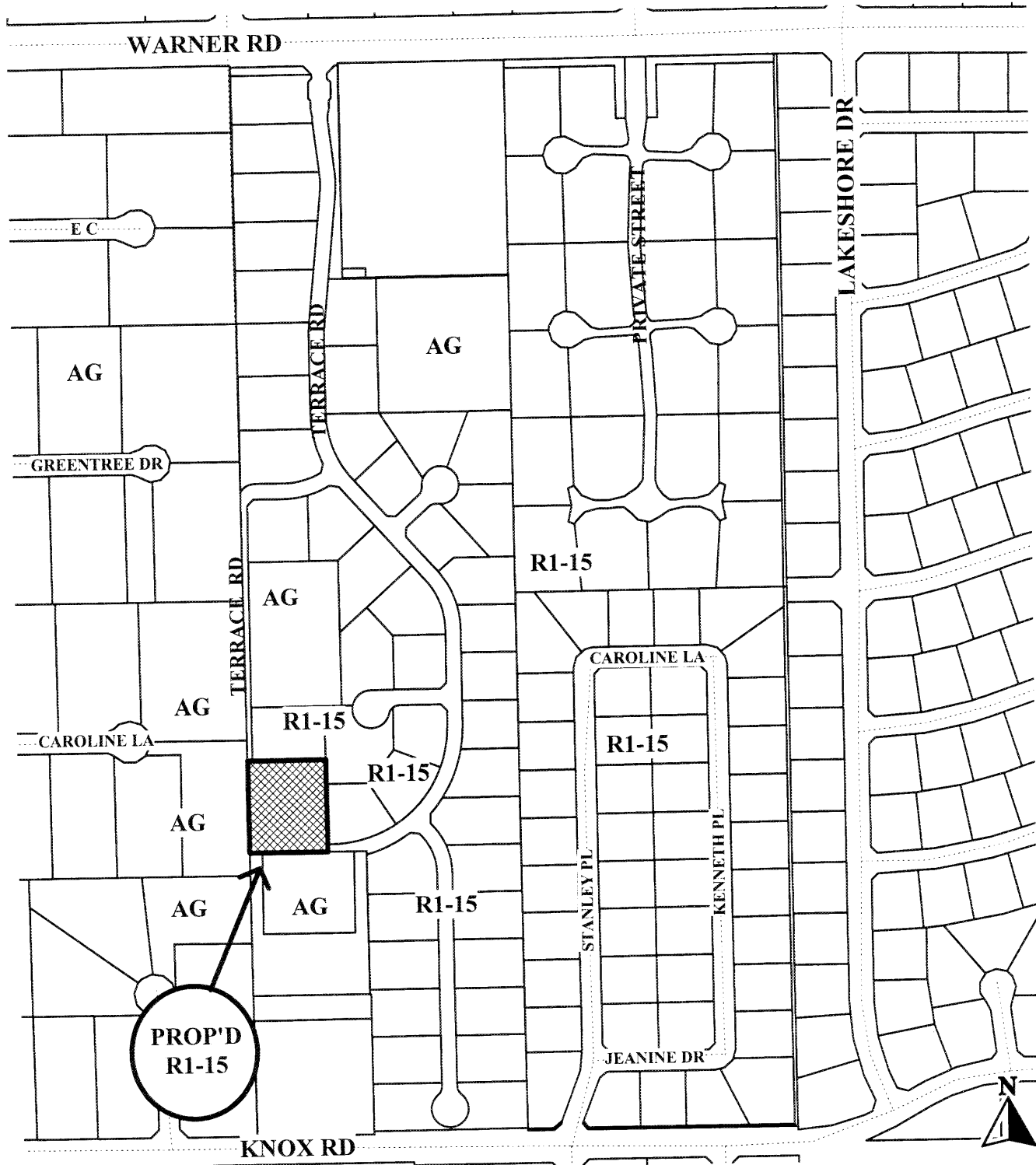
**CONDITION(S)  
OF APPROVAL:**

1.
  - a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings, refuse pickup, and off-site improvements.
  - b. Off-site improvements to bring roadways to current standards include:
    - (1) Water lines and fire hydrants
    - (2) Sewer lines
    - (3) Storm drains.
    - (4) Roadway improvements including streetlights, curb, gutter, bikepath, sidewalk, bus shelter, and related amenities.
  - c. Fees to be paid with the development of this project include:
    - (1) Water and sewer development fees.
    - (2) Water and/or sewer participation charges.
    - (3) Inspection and testing fees.
  - d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.
2.
  - a. All street dedications shall be made within six (6) months of Council approval.
  - b. Public improvements must be installed prior to the issuance of any occupancy permits. The Public Works Department shall approve any phasing.
  - c. All new and existing, as well as on-site and off-site, utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this (re)development in accordance with the Code of the City of Tempe - Section 25.120.
3. Future property lines without the prior approval of the City of Tempe may create no variances.
4. A valid building permit shall be obtained and substantial construction commenced within one year of the date of Council approval or the variances shall be deemed null and void.
5. A building permit shall be obtained and substantial construction commenced within two (2) years of the date of Council approval or the zoning shall revert to that in place at the time of application, subject to a public hearing.

6. The Final PAD and Final Subdivision Plat shall be recorded with the Maricopa County Records Office through the City of Tempe Development Services Department prior to issuance of building permits. The Planning Division staff prior to recordation shall review details of the document format.

# SHARON ESTATES

**SBD-2001.30**  
**SPD-2001.38**



**Location Map**

**A**

# LOT SPLIT SURVEY EXHIBIT MAP

MAY 08 2001



## LOT SPLIT SURVEY

ROBERT RALPH LAND SURVEYOR

PROJECT NUMBER	10321X/B
SHEET COUNT	1" = 30'
DATE	10/21/00
BY	JRM/PJR
CHECKED	10/21/00
DATE	05/25/01

ROBERT RALPH LAND SURVEYOR  
FOUNTAIN, ARIZONA  
PHONE: 480-822-8272  
FAX: 480-822-8273  
MOBILE: 480-822-8273

SBD-2001.30

### LEGAL DESCRIPTION

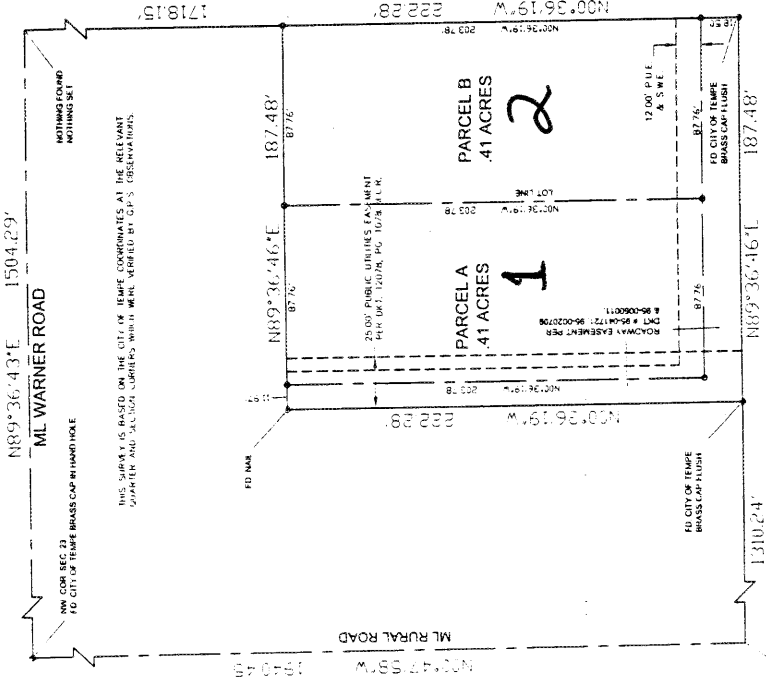
THE SOUTH 22.21 FEET OF THE WEST 187.48 FEET OF THE SOUTH 36.46 FEET OF THE NORTH 180.43 FEET OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

**LEGAL DESCRIPTION - LOT 1**  
PARCEL A

THE WEST HALF OF THE SOUTH 22.21 FEET OF THE WEST 187.48 FEET OF THE SOUTH 36.46 FEET OF THE NORTH 180.43 FEET OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

**LEGAL DESCRIPTION - LOT 2**  
PARCEL B

THE EAST HALF OF THE SOUTH 22.21 FEET OF THE WEST 187.48 FEET OF THE SOUTH 36.46 FEET OF THE NORTH 180.43 FEET OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



NOTHING FOUND NOTHING SET

B



## MAY 05 2001

**LEGAL DESCRIPTION**

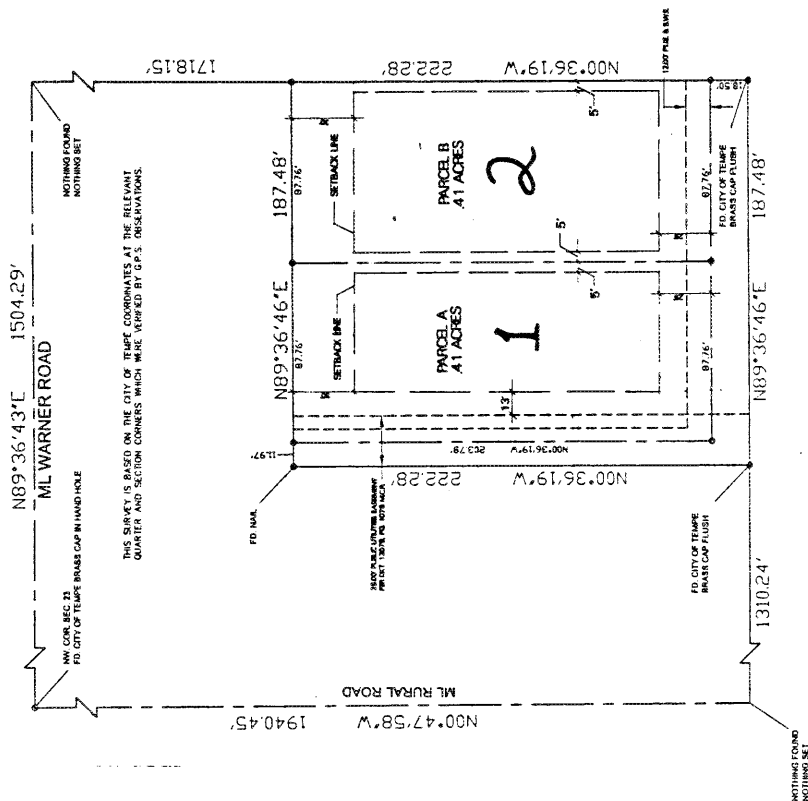
THE SOUTH 228.28 FEET OF THE WEST 187.48 FEET OF THE SOUTH 348.88 FEET OF THE NORTH. 1840.43 FEET OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE OLA AND BALT RIVER BASE AND MERIDIAN MARICOPA COUNTY, ARIZONA.

LEGAL DESCRIPTION - LOT 1  
PARCEL A

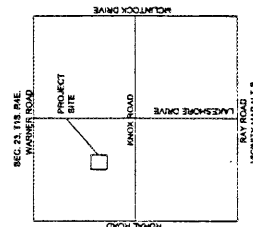
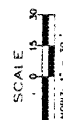
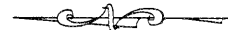
THE WEST HALF OF THE SOUTH 222 28 FEET OF THE WEST 187.48 FEET OF THE SOUTH 348 00 FEET OF THE NORTH 1940.43 FEET OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 8 SOUTH, RANGE 4 EAST OF THE GILA AND SALI RIVER BASE AND MARIQUAN, MARICOPA COUNTY, ARIZONA.

LEGAL DESCRIPTION - LOT 2  
PARCEL B

THE EAST HALF OF THE SOUTH 222 28 FEET OF THE WEST 167 48 FEET OF THE SOUTH 349 80 FEET OF THE NORTH 1040 43 FEET OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



SE 1 1/2" HT BAR W/ CAP RN 9 25399



# LOT SPLIT SURVEY

ROBERT RALPH LAND SURVEYOR

PROJECT NUMBER  
10321XXB

SHEET SCALE  
1" = 30'

DATE  
10/31/01

DESIGNER  
JAW/RJR

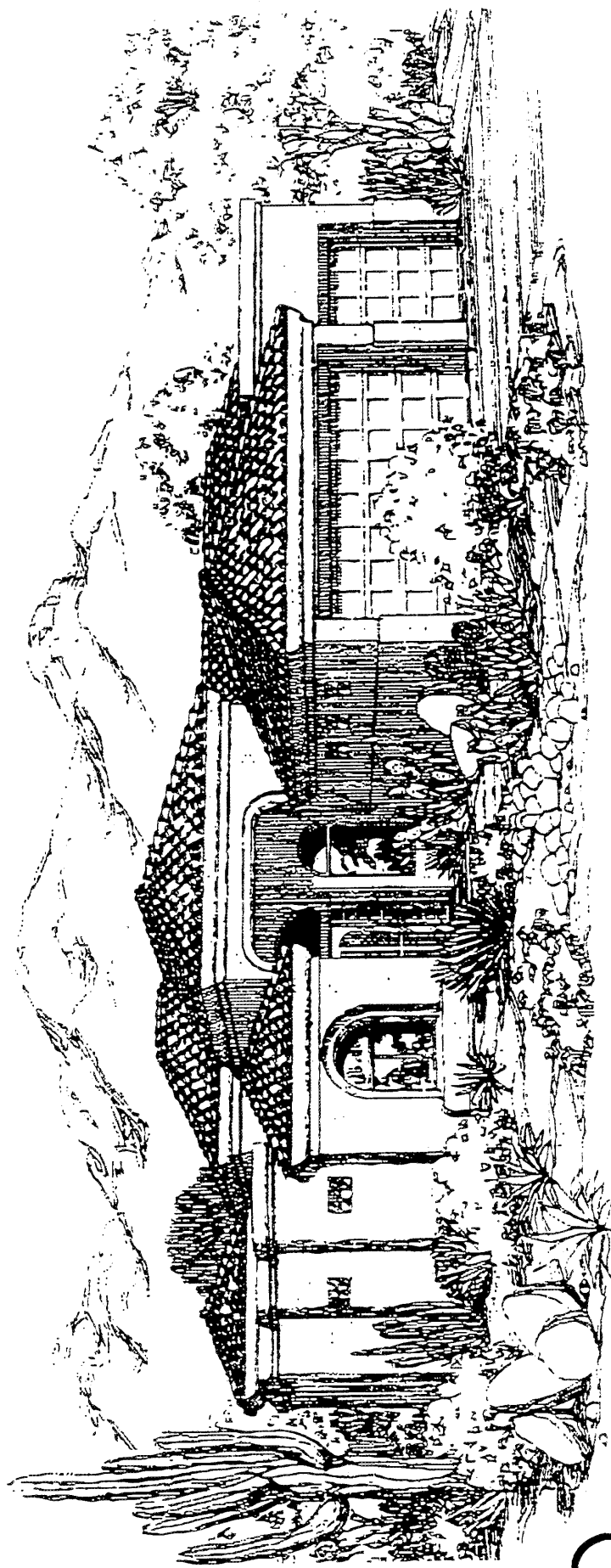
DATE  
03/23/01

ROBERT  
ALPH  
LAND SURVEYOR  
P.O. BOX 15372  
FOUNTAIN MILLS AZ 85228  
PHONE (480) 816-5773  
FAX (480) 816-5735  
MOBILE (602) 618-5729

2 #HS

SPD-2001.38

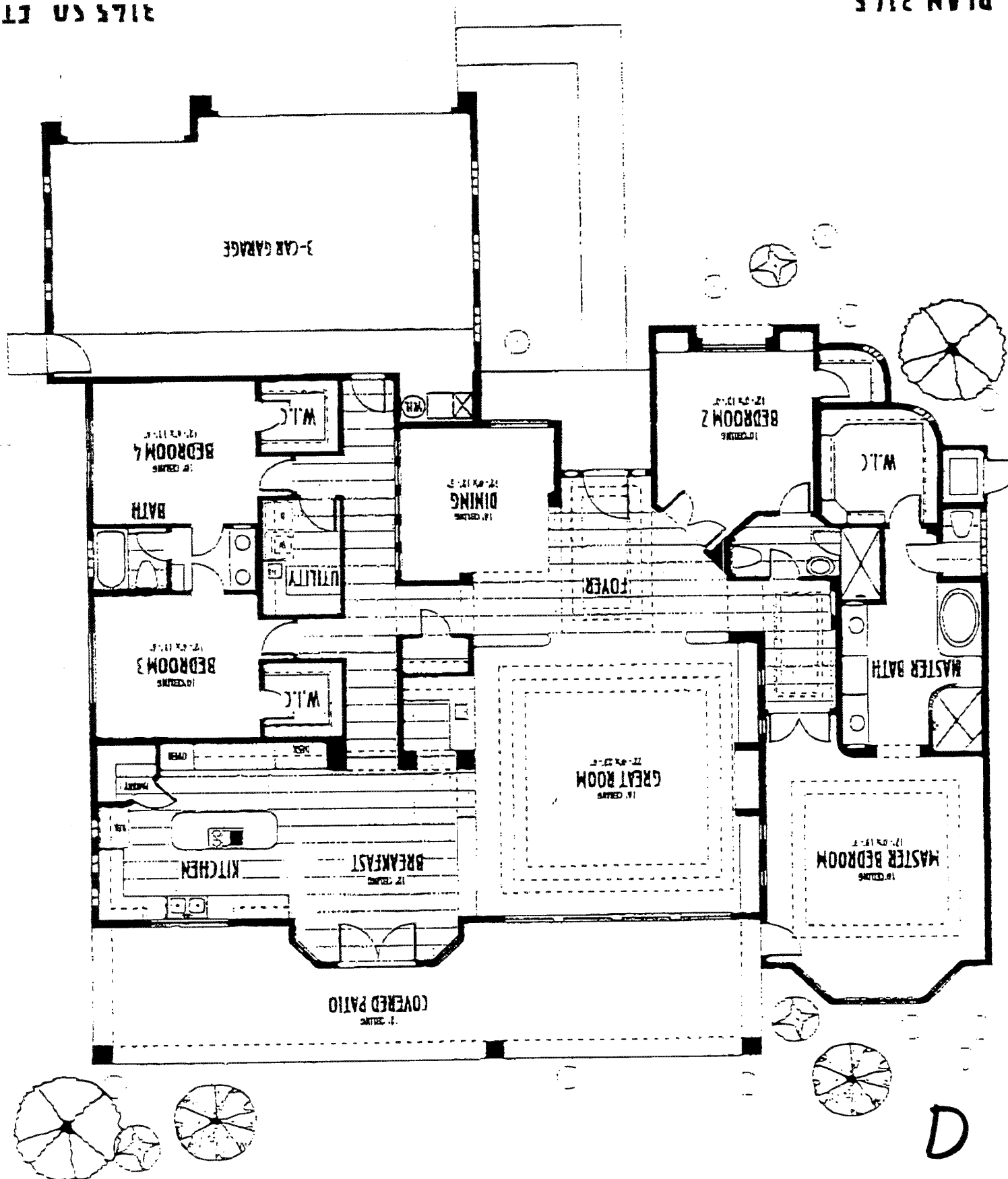
B.



C

3175 50 11

PLAN 2175



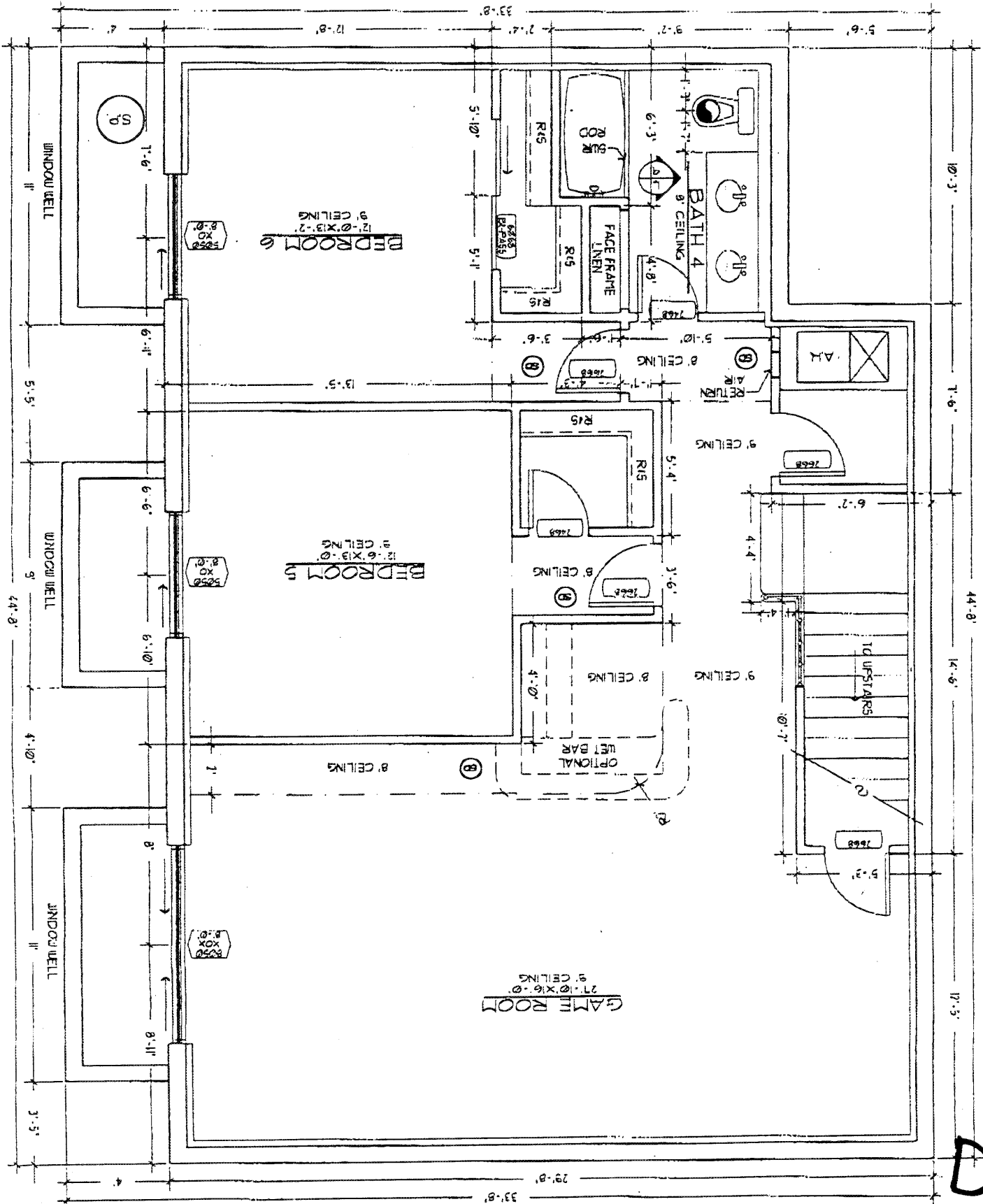
May. 02 2001 01:38PM P3

PHONE NO. : 480 456 3230

FROM : RON KRYSSTOFIK

SCALE 1/4" = 1'-0"

FLOOR PLAN



D1

## **LETTER OF EXPLANATION**

PRESENTLY A PARCEL OF LAND WITH THE  
EXISTING HOME ON RECORD DEMOLISHED.

REQUEST LOT SPLIT INTO TWO (2) PARCELS  
OF EQUAL SIZE WITH THE FOLLOWING LEGAL  
DESCRIPTION ATTACHED BY ROBERT RALPH  
LAND SURVEYOR.

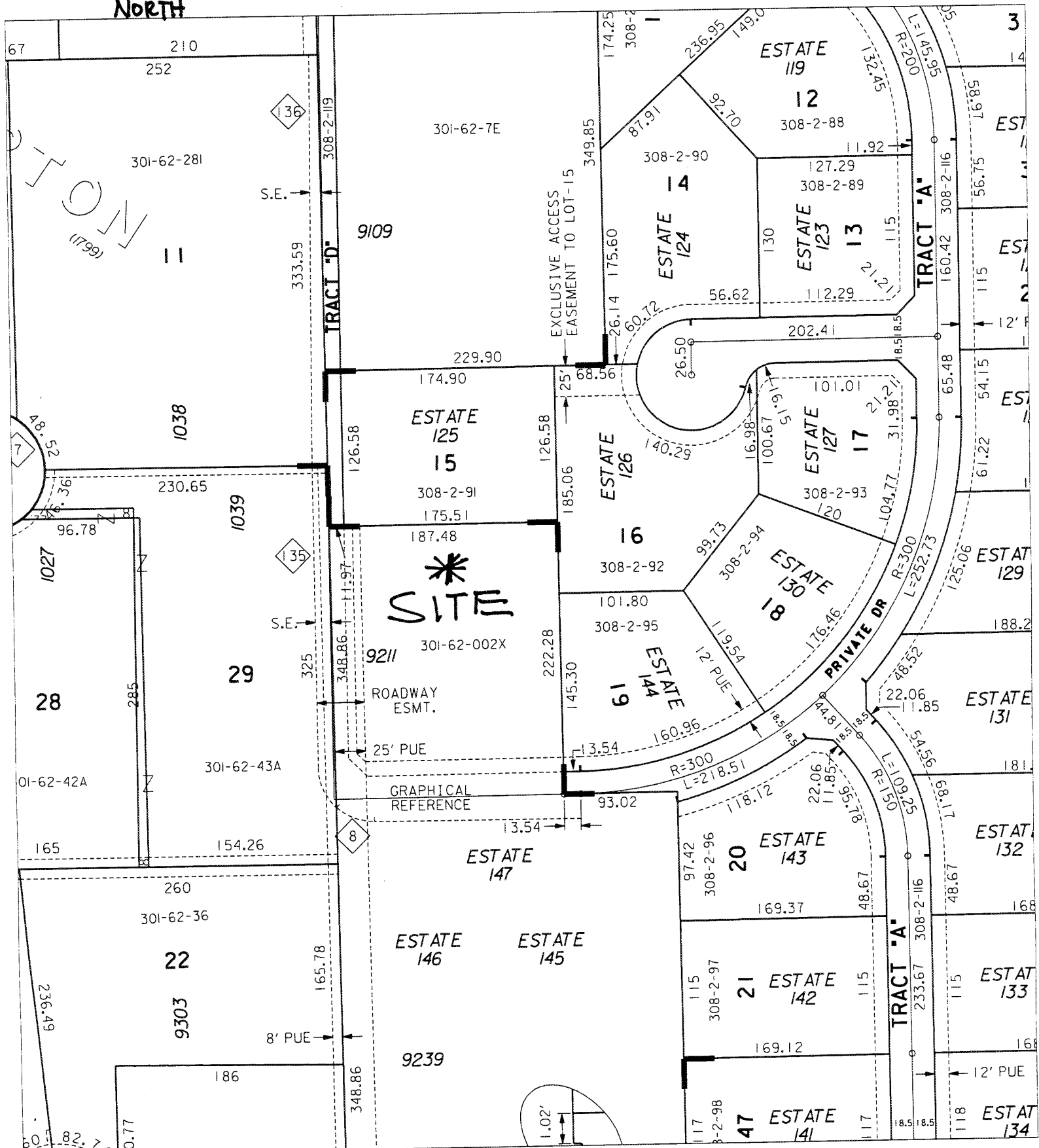
**E**

***In order to accomplish this we need your concurrence of this for Planning and Zoning . Please sign the attached which will be submitted with our zoning change from AGR to R110.***

F

  
NORTH







ORDINANCE NO. 808.2001.03

AN ORDINANCE AMENDING SECTION I OF PART 2.F. OF  
ORDINANCE NO. 808 OF THE CITY OF TEMPE AND THE  
DISTRICT ZONING MAP ACCOMPANYING AND MADE  
PART OF THE SAID ORDINANCE NO. 808.

\*\*\*\*\*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE,  
ARIZONA, as follows:

SECTION 1. That Section I.2.F. of Ordinance No. 808 of the Zoning Ordinance of the City of Tempe and the District Zoning Map of the City of Tempe accompanying and made a part of the said Ordinance No. 808 be and they are hereby amended by removing the below described property from the AG Agricultural and including it in the R1-10 One Family Residential District.

LEGAL DESCRIPTION

Lot 1

The West Half of the South 228.28 feet of the West 187.48 feet of the South 348.86 feet of the North 1940.43 feet of the West Half of the East Half of the Northwest Quarter of Section 23, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian , Maricopa County, Arizona.

Lot 2

The East Half of the South 228.28 feet of the West 187.48 feet of the South 348.86 feet of the North 1940.43 feet of the West Half of the East Half of the Northwest Quarter of Section 23, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

SECTION 2. Further, those conditions of approval imposed by the City Council, Case #ZON-2001.03 are hereby expressly incorporated in ordinance by this reference.

H

PASSED AND ADOPTED by the City Council of the City of Tempe, Arizona,  
this \_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Development Services Director

H<sub>1</sub>